

A.No.4425 of 2010
in
C.S.No.178 of 2010

PUSHPA SATHYANARAYANA, J

This is an application filed in the year 2010 for amending the plaint, including the prayer for damages.

2. It is the case of the plaintiff that the defendants had unlawfully and illegally infringed the trade mark and started using the words AIMS in order to promote their business.

3. Though in the reply notice, the defendants had expressed their willingness to change the logo, however, according to the plaintiff, they are continuing to infringe the plaintiff's trademark. Hence, the plaintiff is now seeking to amend the plaint including the relief of damages of Rs.10 lakhs.

4. Mr.R.Sathish Kumar, learned counsel appearing for the defendants, though objected to the amendment, however, had no serious objection, as the prayer sought for is only subject to proof in the trial. Admittedly, no written statement has been filed by the defendants so far. As

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there is no serious objection, this application is allowed. Plaintiff is directed to carry out the amendment and file the amended copy of the plaint within a period of two weeks. After serving the copy of the amended copy of the plaint to the defendants, written statement to be filed within a week.

09.09.2016

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